

BILL ANALYSIS

Senate Research Center
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H.B. 1240
By: Villarreal et al. (Uresti)
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, hospitals and other birthing centers are required to give parents of newborns information on shaken baby syndrome, post-partum depression, and immunizations. Researchers have found that early child development is absolutely critical for a child's future success in school and in life. For that reason, the list of information provided to parents of newborns needs to be expanded. Parents are a child's first teachers; they are responsible for the welfare of those small children, and this bill intends to give parents the skills to succeed. This bill requires that information on selecting and interacting with a primary health care practitioner and establishing a "medical home" for the child, dental care, effective parenting, child safety, the importance of reading to a child, expected developmental milestones, health care resources available in the state, selecting appropriate child care, and other resources available in the state.

H.B. 1240 amends current law relating to information required to be provided to parents of an infant.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 161.501 and 161.502, Health and Safety Code, as follows:

Sec. 161.501. New heading: **RESOURCE PAMPHLET AND RESOURCE GUIDE PROVIDED TO PARENTS OF NEWBORN CHILDREN.** (a) Requires a hospital, birthing center, physician, nurse midwife, or midwife who provides prenatal care to a pregnant woman during gestation or at delivery of an infant to, if the woman is a recipient of medical assistance under Chapter 32 (Medical Assistance Program), Human Resources Code, provide the woman and the father of the infant, if possible, or another adult caregiver with a resource guide that includes information in both English and Spanish relating to the development, health, and safety of a child from birth until age five, including information relating to certain topics; and document in the woman's record that the woman received the resource pamphlet, rather than information, described in Subdivision (1) (relating to a pamphlet to be provided to the woman and father of the infant) and the resource guide described in Subdivision (2) (relating to a guide that includes certain resources to be provided to the woman and the father of the infant), if applicable. Makes a nonsubstantive change.

(b) Provides that a hospital, birthing center, physician, nurse midwife, or midwife may use the pamphlet provided on the Texas Department of Health's (TDH) website or an alternative pamphlet that provides the information required by Subsection (a)(1) (relating to a pamphlet to be provided to the woman and father of the infant) and is authorized to use the resource guide provided on TDH's website or an alternative guide that provides the information required by

Subsection (a)(2) (relating to a guide that includes certain resources to be provided to the woman and the father of the infant), rather than this section.

(c) Authorizes TDH to make available online and distribute an existing publication created by another health and human services agency as the resource guide required by Subsection (a)(2).

Sec. 161.502. DUTIES OF DEPARTMENT. (a) Requires TDH to perform certain actions, including making available on TDH's website a printable version of the pamphlet required by Section 161.501(a)(1), rather than Section 161.501, and a printable version of the resource guide required by Section 161.501(a)(2); updating the list of resources and required immunizations in the pamphlet required under Subdivision (2)(A) (relating to a printable version of the pamphlet required by Section 161.501(a)(1)), rather than Subdivision (2), quarterly; making the pamphlet and resource guide required by Section 161.501 available for distribution to hospitals, physicians, birthing centers, nurse midwives, and midwives; and coordinating funding for the development, publication, and distribution of the informational pamphlet and resource guide with other health and human services agencies, and solicit funding for TDH's duties under this subchapter through means other than appropriations, such as gifts, grants, and sales of sponsorship or advertising.

(b) Makes a conforming change.

(c) Requires the Health and Human Services Commission (HHSC) to develop specific performance measures by which HHSC may evaluate the effectiveness of the resource guide under Section 161.501(a)(2) in reducing costs to the state and improving outcomes for children.

(d) Requires HHSC, not later than December 1 of each even-numbered year, to submit a report to the legislature on the effectiveness of the resource guide under Section 161.501(a)(2), including legislative recommendations concerning the guide.

SECTION 2. Effective date: September 1, 2009.